

ESTTA Tracking number: **ESTTA626282**

Filing date: **09/10/2014**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91214480
Party	Defendant Heart of the Goat LLC
Correspondence Address	AMANDA V DWIGHT DWIGHT LAW GROUP 2020 MAIN STREET, SUITE 600 IRVINE, CA 92614 8226 UNITED STATES adwight@dwrightlawgroup.com
Submission	Other Motions/Papers
Filer's Name	Amanda V. Dwight
Filer's e-mail	adwight@dwrightlawgroup.com
Signature	/ad/
Date	09/10/2014
Attachments	Amendment.pdf(213864 bytes )

**EXHIBIT A**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In the Matter of Application Serial No. 85/908,205  
Trademark: **EMBRACE YOUR INNER VIKING**

Viking River Cruises (Bermuda) Ltd., Opposer,  v.  Heart of the Goat LLC, Applicant.	Opposition No. 91214480  Mark: EMBRACE YOUR INNER VIKING  Serial No. 85/908,205
--	---

**AMENDMENT OF APPLICATION WITH CONSENT AND  
CONDITIONAL AGREEMENT TO WITHDRAWAL OF OPPOSITION WITHOUT  
PREJUDICE**

Pursuant to 37 C.F.R. § 2.133 and T.B.M.P. § 514.02, Applicant, Heart of the Goat LLC, hereby deletes the goods in International Class 25 of the application and amends the services in International Classes 35 of the application as follows, by deleting the following text: "clothing and." The entire description in the three International Classes, upon amendment, should therefore read:

International Class 25: [Deleted]

International Class 32: Beers

International Class 35: On-line retail store services featuring beer


As reflected by the signature of Opposer's counsel below, Opposer consents to this amendment.

Applicant submits that the foregoing amendment does not add goods or services to or broaden the scope of the goods or services listed in the application, but instead narrows them. As such, neither republication of the mark nor further examination of the mark is required as a result of this amendment. Accordingly, Applicant respectfully requests that the Board approve the amendment without republication of the mark.

As reflected by the signature of Opposer's counsel below, Opposer hereby withdraws its opposition to the subject application, conditioned, however, on the acceptance and entry of the foregoing amendment or an amendment with substantially similar wording which is required by and acceptable to the Board.

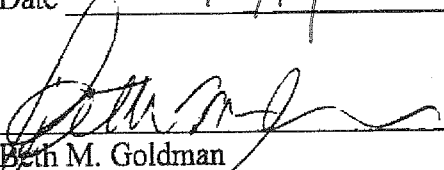
WHEREFORE, Applicant and Opposer move that the subject application be amended as stated herein and that the opposition be dismissed without prejudice.

Respectfully submitted,

  
\_\_\_\_\_  
Amanda Dwight  
Dwight Law Group  
2020 Main Street  
Suite 600  
Irvine, California 92614-8226  
Email: [adwight@dwightlawgroup.com](mailto:adwight@dwightlawgroup.com)

Attorney for Applicant,  
Embrace Your Inner Viking LLC

Date 9/9/14  
\_\_\_\_\_

  
\_\_\_\_\_  
Beth M. Goldman  
Orrick, Herrington & Sutcliffe LLP  
405 Howard Street  
San Francisco, CA 94105-2669  
Email: [ipprosecutionsf@orrick.com](mailto:ipprosecutionsf@orrick.com)

Attorney for Opposer,  
VIKING RIVER CRUISES (BERMUDA)  
LTD.

Date 9/9/2014  
\_\_\_\_\_

### **Certificate of Service**

The undersigned hereby certifies that on September 10, 2014, a copy of the Amendment of Application With Consent And Conditional Agreement to Withdrawal of Opposition Without prejudice was served on Opposer's attorneys of record, at its correspondence address, by first class mail postage prepaid and electronic mail, addressed as follows:

Beth M. Goldman, Esq.  
Betsy Wang Lee, Esq.  
Orrick, Herrington & Sutcliffe LLP  
405 Howard Street  
San Francisco, CA 94105  
ipprosecutionsf@orrick.com, blee@orrick.com, beth.goldman@orrick.com

Respectfully submitted,

Dated: September 10, 2014

\By: /ad/  
Amanda V. Dwight